

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

HOBBY LOBBY STORES, INC,

Plaintiff,

- against -

DIRK D. OBBINK,

Defendant.

Civil Action No. 21-CV-3113 (RPK)

**AFFIDAVIT IN SUPPORT
OF MOTION FOR ENTRY
OF DEFAULT JUDGMENT**

MICHAEL McCULLOUGH, being duly sworn, deposes and says:

1. I am admitted to the Bar of this Court and am a Partner in the law firm of Pearlstein & McCullough LLP, attorneys for Plaintiffs Hobby Lobby Stores, Inc (“Hobby Lobby”). I am fully familiar with all the facts and circumstances described herein.

2. I submit this Affidavit in Support of Plaintiff’s Motion for Entry of Default Judgment against Defendant Dirk D. Obbink (“Obbink”) pursuant to Fed. R. Civ. P. 55(b).

3. In this action, which was commenced on June 2, 2021, Hobby Lobby asserts claims for fraud and breach of contract in connection with its purchase of ancient papyri fragments (the “Fragments”) from Obbink. Pursuant to seven private sale agreements between Hobby Lobby, as Buyer, and Obbink, as Seller, Hobby Lobby, between February 2010 and February 2013, purchased the Fragments, along with other ancient objects, for \$7,095,100. Unbeknownst to Hobby Lobby, certain of the Fragments, the total number yet unknown, had been stolen by Obbink from the Egyptian Exploration Society, the custodian of the largest collection of ancient papyri in the world, housed at the University of Oxford, England (“Oxford”). Obbink was a Lecturer in Papyrology and Greek Literature in the Faculty of Classics at Oxford until February 2021. In September 2019, Obbink paid \$10,000 to Hobby Lobby as a partial payment under one of the purchase agreements, but made no further payments.

4. Obbink was, pursuant to Fed. R. Civ. P. 4(f)(1), properly served with the Summons and Complaint at his residence, a houseboat in Oxford, England, on September 7, 2021, in accordance with the rules of the Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents (the “Hague Convention”), to which the United Kingdom is a signatory. A copy of the process server’s affidavit of service was filed in ECF on September 12, 2021 (Docket No. 6). A letter to the Court explaining the difficulties we had had in effecting service and the validity of the means of service was filed on September 13, 2021. (Docket No. 7).

5. The time for Obbink to respond to the Complaint expired on September 29, 2021. To date, Obbink has failed to appear in this action, much less submit a response to the Complaint.

6. On November 30, 2021, the Court entered a Certificate of Default certifying Obbink’s default pursuant to Fed. R. Civ. P. 55(a). (Docket No. 9).

7. As required by the Servicemembers Civil Relief Act of 2003, I have confirmed that Obbink is not currently in active US military service.

8. Upon information and belief, Obbink is an individual who is not an infant or incompetent person.

9. In this action, Hobby Lobby seeks to rescind its purchase of the Fragments and recover the total purchase price of \$7,095,100, minus the partial refund of \$10,000 under one of the purchase agreements. Accordingly, Hobby Lobby respectfully requests a judgment in the amount of \$7,085,100 together with pre-judgment interest.


MICHAEL McCULLOUGH

Sworn to before me this
16 day of December, 2021


Notary Public

RONALD E REATHERFORD
Notary Public-State of New York
NO. 01RE6207490
Qualified in Suffolk County
My Commission Expires Jun 15, 2025